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Responsive to 27 July 2006 Office Action

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#### REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

#### PENDING CLAIMS

Claims 1-9 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-9 will be pending for further consideration and examination in the application.

#### \*101 REJECTION - USEFUL, CONCRETE AND TANGIBLE RESULT

Claims 1-9 have been rejected under 35 USC 101, apparently because such claims allegedly fail to provide a useful, concrete and tangible result. Applicant respectfully submits that appropriate ones of the rejected claims have been rewritten and include a useful, concrete and tangible result.

As guidance, the following comments from Applicant's foreign patent representative are submitted.

The present invention provides a method and system for determining whether to enable or disable the I/O requests from the host computers to the disk device to be executed, thereby to provide a useful and tangible result such that I/O requests from plurality of host computers can be properly selected to be executed in a shorter

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time. Even in a large-scale system where hosts, logical disks, and paths connected to a disk device are large in number.

Based upon the foregoing, reconsideration and withdrawal of the '101 rejection are respectfully requested.

#### **REJECTION UNDER '112, 2ND PAR. OBVIATED VIA CLAIM AMENDMENT**

Claims 1-9 have been rejected under 35 USC '112, second paragraph, as being indefinite for the concerns listed on page 2 of the Office Action. Appropriate ones of such claims have been carefully reviewed and carefully amended where appropriate in order to address the Office Action listed concerns.

As guidance, the following comments are supplied from Applicant's foreign representative, to assist understanding.

The amended claim 1 includes processes in the host computers and in the disk device. The first half of the body of claim 1 is constituted by two steps. The first one of the two steps is "transmitting access-right change commands to said disk device..." which corresponds, for example, to the embodiment of access-right change processing shown in Fig. 10 and the access-right change command shown in Fig. 11, and the description in page 24, line 15 to page 27, line 5 of the original specification. The access-right change command (110) includes "host identification information" and I/O enablement/ disablement information which are corresponded with each other in each of the host computers as shown, for example, in Fig. 11. The I/O enable/disable information indicates that the execution of I/O request from a host computer is enabled or disabled as shown, for example, in Fig. 11.

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Another one of the two steps is "issuing, to said disk device, said I/O requests" which corresponds, for example, to the embodiment shown in Fig. 6 (611). The I/O request from a host computer and the host identification information for identifying the host computer issuing the I/O request are transmitted together to the disk device.

The second half of the body of claim 1 is constituted by three steps. The first one of the three steps is "changing in batch said I/O-enable/disable information " which corresponds, for example, to the access-right change process shown in Figs. 10 (632-634) and 12. The second one is "identifying said request-source host computer..., determining to enable or disable..." which corresponds, for example, to blocks 3101-3102 in Fig. 7 and the description in page 21, line 9 to page 22, line 23 of the specification. The third one is "based on said host identification information and said..." which corresponds, for example, to blocks 3103-3106 of Fig. 7.

As the foregoing is believed to have addressed all '112 second paragraph concerns, reconsideration and withdrawal of the '112 second paragraph rejection are respectfully requested.

#### **ALL CLAIMS IN CONDITION FOR ALLOWANCE**

In view of the fact that the claims have been amended in a manner believed to have addressed the 101 rejection and 112, 2<sup>nd</sup> para. rejection, and in view of the further fact that none of the claims have been rejected on a basis of prior art, it is respectfully submitted that all presently pending claims are now in condition for allowance. A Notice of Allowance with respect to the present application is respectfully requested.

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### EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

### RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

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### CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.44934X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Paul J. Skwierawski  
Registration No. 32,173

PJS/slk  
(703) 312-6600